IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 2890 of 2007()

CRIME NO.110/07 OF KUMILY POLICE STATION

PETITIONERS :

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1. VARGHESE, S/O.CHINNAPPAN, AGED 37 YEARS,
ANAKUZHIPUTHIVAL HOUSE,ATTAPPALLAM,
KUMILY VILLAGE.

2. BOBIN CHACKO, S/O.CHACKO,AGED 27 YEARS,
PEPDUKALLAMKUIZHA,VELLARAMKANN,KUMILY VILLAGE.

3. BINOY, S/O.THOMAS, AGED 34 YEARS,
ENTHUKAL HOUSE, VELLARAMKANN,KUMILY VILLAGE.

4. JIJIMON S/O.PHILIP,AGED 35 YEARS,
OLIKARA HOUSE,VELLARAMKANN,KUMILY VILLAGE.

5. CIRIL, S/O.THOMAS, AGED 34 YEARS,
KAVANNKAL HOUSE,VELLARAMKANN,KUMILY VILLAGE.

6. TOMY, S/O.THOMAS, AGED 24 YEARS,
CHERIVUPARAMBIL HOUSE,VELLARAMKANN,KUMILY VILLAGE.

7. ANESH, S/O.CHACHO, AGED 29 YEARS,
MANSALATH HOUSE,VELLARAMKANN,KUMILY VILLAGE.

8. JOSHI, S/O.PHILIP, AGED 32 YEARSOLIKKARA
HOUSE,VELLARAMKANN,KUMILY VILLAGE.

9. JOSEPH ALIAL KUNJUMON, S/O.CHACKO,
AGED 34 YEARS, THURUTHRIMATTATHIL HOUSE,
VELLARAMKANN,KUMILY VILLAGE.

10. JESTINE S/O.JACOB, AGED 29 YEARS,
KARAEKATTU HOUSE, VELLARAMKANN,KUMILY VILLAGE.

11. WILSON,S/O.JOSEPH AGED 34 YEARS,
CHERUMTHADOM HOUSE,VELLARAMKANN,KUMILY VILLAGE.

12. MATHEW S/O.THOMAS, AGED 29 YEARS,
CHERUVAPRAMBIL HOUSE, VELLARAMKANN,KUMILY VILLAGE.

13. MANOJ, S/O.CHACKO, AGED 28 YEARS,
NIRAVALLIL HOUSE, VELLARAMKANN,KUMILY VILLAGE.

14. MARTIN, S/O. JOSEPH, AGED 25 YEARS,
KAKKASSERIL HOUSE,VELLARAMKANN,KUMILY VILLAGE.

15. ROY, S/O.THOMAS AGED 39 YEARS,
YIRATTUVAYAALI HOUSE,
VELLARAMKANN,KUMILY VILLAGE.

16. APPY S/O.ABRAHAM AGED 52 YEARS,
KAVANKAL HOUSE, VELLARAMKANN,
KUMILY VILLAGE.

17. SUNNY DEVASIA, S/O.DEVASIA, AGED 32 YEAR
PARAMBAKATHU HOUSE,VELLARAMKANN,KUMILY VILLAGE.

18. REJI, S/O.JOSEPH, AGED 24 YEARS,
KAKKASSERIL HOUSE,VELLARAMKANN,KUMILY VILLAGE.

BY ADV. SRI.RAJU JOSEPH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
SUB-INSPEPCTOR OF POLICE,KUMILY POLICE
STATION, THOURGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2890 OF 2007 A

Dated this the 30th day of May, 2007

O R D E R

Petitioners, 18 in number, seek anticipatory bail on the allegation that the Kumily police are at their heels in connection with Crime No.110/07 registered for offences punishable under sections 143, 147, 148, 323, 324, 326 and 308 read with section 149 IPC.

2. Learned Public Prosecutor, on instructions, submitted that the petitioners 1 and 7 are not accused in the case and that the petitioners 2 to 6 and 8 to 18 are respectively accused Nos.9, 10, 12, 14, 15, 13, 18, 21, 22, 16, 23, 24, 26 to 28 and 25.

3. With regard to the fact that it was a clash between two groups resulting in the registration of a case and a counter, eventhough I am not inclined to grant anticipatory bail to the petitioners, I am inclined to permit them to surrender before the Investigating Officer for the purpose of interrogation and recovery of incriminating materials and then to have their application for regular bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 06.06.2007 and 08.06.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall,

thereafter, be produced on the same day before the concerned Magistrate, who shall release the petitioners on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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